

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ROAD PAVING EQUIPMENT TIRE TRACK REMOVER

the specification of which

 X is attached hereto; or

 was filed on as Application Serial
No. , and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, section 1.56(a) and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent,

 and in compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR 1.98.

I hereby claim foreign priority benefits under Title 35, United States Code, section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed;

 X no such applications have been filed;

 such applications have been filed as follows:

Prior PCT/Foreign Application(s) filed within 12 months (6 months for Design) prior to this application and any priority claims under 35 U.S.C. §119:

| | | | PRIORITY CLAIMED |
|----------------|---|---|---|
| <u>COUNTRY</u> | <u>APPLICATION NUMBER</u> | <u>DATE OF FILING</u> | <u>UNDER 35 U.S.C. 119</u> |
| <u>n.a.</u> | <u> </u> | <u> </u> | <u> </u> |

Continued –

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| <u>APPL. SERIAL NO.</u> | <u>DATE OF FILING</u> | <u>STATUS</u> |
|-------------------------|-----------------------|--|
| <u>60/463,451</u> | <u>04/15/03</u> | <input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned |

As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith:

Larry D. Johnson
Craig M. Stainbrook

Reg. No. 31,528
Reg. No. 45,126

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of
sole or first inventor: John G. Catenacci

Inventor's Signature: 

Date: 4/6/04

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